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PENDING FEDERAL LEGISLATION¹

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There are upwards of eighty educational bills now before Congress. Many of these are insignificant either because of their content or because they have no chance of passing. Twenty or more are extremely important because they embody large issues of national policy. I should be surprised if more than three of the total number passed the present Congress. Three, I think, may pass. Several of the others may be enacted in the near future unless the educational interests oppose them or offer substitutes. The three I have in mind are the Wadsworth Army Reorganization Bill carrying the provision for universal military training, the Kenyon-Vestal Bill for Americanization and the eradication of illiteracy, and the Fess Bill for the rehabilitation of industrial cripples. If my forecast is correct, it is worth while to ask you to consider these.

I presume this audience is not of one mind with regard to the desirability of universal training. Those who oppose it would probably welcome the defeat of the training sections of the Wadsworth Bill. I happen personally to favor it and I am, in the main, satisfied with the Wadsworth Bill. However, I will try to set the virtues and the defects of that measure impartially before you.

The bill provides for the compulsory training of every physically and mentally fit male for a period of four months beginning normally in his nineteenth year, but subject to deferment for sufficient reasons one, two, or three years. At the option of the individual the training period may be extended two months longer. The military training will comprehend vocational training in trades necessary for the army and useful in civil life, including agriculture. At the beginning of their service the men will be subjected to physical and psychological examinations. Persons not sufficiently instructed in the English language will be required to receive the

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necessary preparatory education. The regulations governing the training will be prepared by a committee of the General Staff composed of three or more General Staff officers "and at least an equal number of other persons including veteran (reserve) officers . . . physicians and civilians specially qualified in educational and industrial training." After the training period membership in the organized reserves will be for five years. Except for annual maneuvers of two weeks, reservists are liable to military service only when Congress declares an emergency. Men may elect training in the National Guard instead of in the training camps. In that case, they must be enrolled in the National Guard for five years.

It is obvious that this bill presents a compromise. The period of compulsory training is less than the military men want for military purposes; it is less than the educational people have advocated for educational purposes. In fact, it is difficult to see how the men who stay under training only four months will derive much benefit from the vocational education which is included. The individual option of extending the period two months longer was suggested to the Senate Committee on Military Affairs by the American Council on Education. It helps the measure a little. The possibility of escaping training with the mass by joining the National Guard is another compromise feature which does not commend itself to anyone, I think, except the partisans of the National Guard. Still another clause that shows the result of conflicting pressures is the control clause. Regular army officers, national army officers, doctors, and educators are to be represented on the board that has charge of the training and the proportions of the representation are not fixed with any definiteness. In my own judgment, this is the crucial section of the bill. If the board is wise, efficient, and harmonious, a successful administration of military training may be expected. If its personnel is of inferior quality, or if its members are hostile to one another, the results to the system are likely to be serious. I will confess I do not like this clause. I believe that in a task which is so largely educational, at least half of the membership of the controlling board should be made up of educators. I believe also that the educational interests would be safeguarded against the caprices or the ignorance of future secretaries of war if the Commissioner of Education, the Director of the Federal Board, and the

Director of the States Relations Service were made *ex officio* members of the committee.

But, on the other hand, the bill represents a great advance over former military training bills. While from a constitutional point of view the only valid excuse for the enactment of such a measure is military protection, the bill tacitly emphasizes the educational aspects of the training. It is also recognized—however imperfectly—that others beside the military arm of the government must be associated in a training enterprise designed to turn out not only soldiers, but better citizens and better producers.

The annual induction of the eighteen-year olds provided by the bill would be a great national stock-taking which would show us what we have and what we are physically and mentally. Personally, I have no doubt that it would be many times as effective in the eradication of illiteracy and the teaching of English to foreigners as the procedure contemplated in the Smith-Towner Bill or the Kenyon Bill. The army can and now does teach foreigners to talk and understand, and native illiterates to read, English in three months. Moreover, the moral pressure upon the states to present to the induction boards each year a group of young men with at least the rudiments of an education in the vernacular would do far more toward the development of effective local education than any amount of federal subsidy.

The Wadsworth Bill does not interfere with the established educational machinery of the country, except on the level of the college. Undoubtedly if it should pass, the administrative arrangements of colleges would have to be altered to meet the new condition. There would have to be at least two periods a year when new students could enter, perhaps three or four.

This bill has been opposed both in Congress and out on two grounds—first, that of expense, and, second, because it is thought to fasten a militaristic system upon the country. The estimated expense of the training feature is between \$300,000,000 and \$400,000,000 a year. These figures are not accepted by the opposition which predicts an annual expense of over a billion. They have been carefully prepared, however, and are based on army experience. I have never taken the militaristic argument seriously. An officers' caste and the location of power in the hands of the military arm of the government are necessary to make militarism. Universal

training does not do it. In fact, it is quite as likely to operate the other way.

I believe that the military training provisions in the Wadsworth Bill are of such concern to the educational interests of the country that their opinion of these provisions should be ascertained and presented to Congress. This could, no doubt, be done by means of a referendum addressed to colleges and to the principal state and city school officers. I intend to seek from the Executive Committee of the American Council on Education authority to issue such a referendum through the council's office.

The Kenyon Americanization Bill as it finally passed the Senate appropriated \$6,500,000 for one year for co-operation with the states in the education of foreigners who are unable to understand, speak, read, or write English and in the education of native illiterates. To receive the benefits of the act, states must appropriate an equal amount and must require residents between the ages of sixteen and twenty-one years of age who are uninstructed in English to attend English classes for 200 hours for a year. State plans and regulations must be approved by the Bureau of Education, which has \$336,100 of the total fund for administration and investigation.

The amendments adopted by the Senate reduced the sum appropriated from \$12,500,000 to \$6,500,000 and cut the administrative allotment from \$500,000 to \$336,100. They also fixed the salaries that can be paid by the Bureau of Education at such low limits that it will apparently be impossible to secure first-class services if the bill passes in its present form.

One feature of the bill ought not to go unnoticed by this society. It gives the Bureau of Education more power over local arrangements than is exercised by the Federal Board under the Smith-Hughes Act, or the Department of Agriculture under the Smith-Lever Act. After nearly six years of service in the Bureau of Education I do not need to declare that I am friendly to that office. Indeed, I believe that the most beneficial thing that could be done for American education immediately would be to increase largely the bureau's resources. I am persuaded also that if large powers of control over local undertakings are to be lodged in the hands of any government agency, they could be more safely entrusted to the Bureau of Education than to any other office with which I am acquainted. But I am opposed to giving federal bureaus authority

over local educational concerns. If we must have federal subsidies either for the stimulation or for the partial support of local educational effort, then I hold that the federal office administering them should be merely a conduit through which they flow. The alternative is a more or less pernicious bureaucracy. Surely the country has already before its eyes examples enough to prove the truth of this statement. I hope the educational interests will let themselves be heard from on this point before the bill becomes a law. I shall endeavor to see that they are given an opportunity through the machinery of the American Council on Education.

But the large amount of administrative authority given the Bureau of Education is not the only feature of the Kenyon Bill that is open to criticism. The provision that those uninstructed in English shall be required to study it 200 hours is in accord with one of the most vicious fallacies of our present educational system, namely, that educational achievement can be adequately measured in terms of the time spent under instruction. The proposition is grotesque when applied to such a matter as the teaching of English to foreigners. If it is important to the United States that all residents should understand, read, write, and speak the English language, then it should be provided that persons not able to do all of these things must remain under instruction until they can meet a minimum standard of proficiency—whether that period be 50 or 500 hours.

I have alluded to the limitation on salaries. Only five in excess of \$3,500 are permitted and none above \$5,000. Seven at \$3,500 are specified. All the rest are \$3,000 or lower. Now the brief experience of the country with Americanization work has shown that it is not an easy task that can be done with cheap help. On the contrary, it requires special gifts and special training. Success in it demands both artistry and personality. The persons who should be engaged to undertake it could not be brought into the government service at such small salaries. Before this measure passes the House the educational interests should make two things plain to Congress: first, that the sponsors of bills creating new educational services are not primarily animated by a desire to get more people onto the government's pay-roll; and secondly, that truly expert educational service cannot be secured for clerk's wages.

The Fess Bill for vocational rehabilitation which has passed the House and is now before the Senate appropriates \$750,000 for 1921

and \$1,000,000 annually thereafter for three years, for the purpose of co-operating with the states in the vocational rehabilitation of persons injured in industry. The appropriation must be matched by the States accepting the act. The work is to be carried on under the direction of the Federal Board for Vocational Education. A sum of \$75,000 a year is appropriated to the federal board for administration and investigation.

I have very few comments to make on this bill. Assuming that federal subsidies are desirable as a stimulation to new types of educational undertakings, this measure may fairly be regarded as making a very modest beginning in a field long neglected. It has an experimental value as well. The amount of the federal appropriation is unprecedentedly small. If this proves to be sufficient to stimulate local effort, the fact will have significant bearing on future projects for federal co-operation with the states. The allotment for administration is too small, however, and the limitation on salaries, which is similar to that contained in the Kenyon Bill, may turn out to be disastrous. But with Congress in its present mood, there seems to be little chance of amending these features.

Suppose the three measures I have just discussed should pass, what would we have? The result would be a thoroughly characteristic extension of the federal government's participation in the educational affairs of the country. In three areas, separate and distinct, the federal government would have assumed a dominating rôle. Each of the three enterprises would be under the control of a different federal agency. They would have no connection with one another. Indeed, each would represent a different administrative theory. The government's educational crazy-quilt would be enlarged by three ill-assorted patches. However worthy the ends sought in these bills, or in those educational measures that have been enacted during the last decade, or in those others now pending, are we, as professional students of educational policy satisfied with this haphazard method of determining what shall be the government's share in directing one of the most vital of the nation's interests? If we are not, is there a remedy? I believe there is.

The first step is to draw up a comprehensive plan for governmental participation in the educational concerns of the country. We have never had one. I trust the sponsors of the Smith-Towner Bill will pardon me if I say that that bill comprehends both too much and too little. It provides with too great assurance and

on a basis by no means scientific for too many kinds of administrative activity. It fails, on the other hand, to bring even the government's own educational effort together. It furnishes no facilities for a progressive readjustment of educational policy to meet the changing conditions of the future. Incidentally, it would fasten upon the country indefinitely a fiscal device—the dollar for dollar appropriations—that is still only experimental and that has thus far had a very dubious success. But I must not anticipate the debate on the Smith-Towner Bill, however tempting the subject may be. I wish merely to make the point that it does not represent the kind of a comprehensive plan that the country may reasonably expect from its educational leaders.

What is needed is rather a body of principles, an educational constitution if you will, in conformity with which specific legislation may later be drawn. This would be genuine statesmanship. Let me indicate some of the fundamental questions with which such a constitution would deal.

It would, first of all, seek to define the objectives. What part must the federal government play in the development of an efficient system of education for the United States? Would it be advantageous to the country to have a strictly national system, controlled in all its major activities by the central government? If not that, should the federal government have sufficient authority to be able to establish standards? What must the extent of such authority be? Must it ultimately rest on the ability to shut off supplies, or otherwise to penalize delinquents? Or may it be exercised by the force of publicity? Is federal support, or partial support, of local educational undertakings desirable? Should the federal government levy taxes on the nation for the benefit of backward states and communities and thus become the fiscal agency for the equalization of educational opportunities? Will such a policy tend finally to promote a vigorous and progressive development of education throughout the country? What about small federal subsidies to stimulate local effort? If these are advisable, how large a proportion of the total cost of the enterprise should be covered by the federal appropriation?

Are money or ideas primarily what is desired from the national government? If by chance it should be the latter, what kind of federal organ is most likely to produce them? Would they naturally

gush forth in connection with a dozen different administrative tasks involving the distribution of grants? Is some provision for renewing the well-springs of governmental wisdom through periodic contacts with non-governmental bodies advisable?

Does the country need one federal agency for education or twenty? If one, should the one be democratic, responsive to the best thought of the profession and co-operating closely with it? Or may it safely be allowed to remain aloof, handing out decrees and material awards? What sort of federal machinery will best accomplish the purposes sought, with due regard for our political habits and the genius of our national government? Should the congressional charter of a new governmental agency be broad and elastic like that of the Bureau of Education, or specific and detailed like that of the Federal Board for Vocational Education?

It is not too late to frame a constitution which will represent the most mature judgment of the educational interests on these and other important questions. The Smith-Towner Bill will not pass during the present session of Congress. Unless the temper of that body changes much, it will not pass during the following session. Both of its major propositions, the Department of Education and large federal subsidies for education, are anathema to the present House. In my judgment the wave of propaganda has carried the bill as high as it can be carried. The tide is now going down. The bill has served a very useful purpose, however. It can now honorably be abandoned in favor of something better.

In closing let me point out two methods whereby the ends I have been advocating could be furthered, if they should commend themselves to the educational leaders of the country.

There is now before Congress the Husted Joint Resolution providing for the appointment by the President of a Commission on Public Education to be charged with investigating and reporting on the necessary federal and state provisions for the improvement of education in the United States, and appropriating \$150,000 for the commission's expenses. The American Council on Education has urged hearings on that measure. I expect they will be held. If Congress could be induced to pass the resolution and if a competent commission were appointed, we might have as the result of this investigation a fact basis, a truly scientific basis for the preparation of an educational constitution. We do not have such a basis now.

I would recommend that the educational leadership of the country, particularly as represented in this society, support that measure. It is the best means now in sight for attaining the ends we all seek.

But Congress is in a saving mood. It may not be possible to get anything like the Husted resolution passed. In that case I venture to suggest that the American Council on Education may serve as a focus for the best informed opinion. It cannot with its present budget conduct a very extensive investigation. The council now has, however, a Committee on Federal Legislation which is studying the present legislative situation. It is the committee's intention to work toward the formulation of just such a body of principles as I have described. If the members of this society endorse the committee's intentions, their support, individual or collective, will be helpful.